

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, November 25, 2008 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Richard, Pearson, Jackson, Preiss, Jasparro, Walker and Dias. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #070010: Mr. Marco Schiappa and Ms. Virginia Faria for the property located at 1330 Main Street, West Warwick. DSFM Dennis McGarty appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance until November 25, 2009 in which to correct deficiencies 2, 3, 4 and 5. Deficiency 1 has been corrected. The motion was unanimous.**

**APPEAL #060887: Mr. March Schiappa and Mr. Kevin Richard for the property located at 8 Garvey Road, Cranston. DSFM Christine Kent appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Vice Chairman Newbrook, to grant the following relief. The Applicant's plans have been approved for the fire alarm system and the Applicant is granted a time variance of sixty (60) days for the installation of that system and for the correction of items 2 and 6 as well. The Applicant is granted a variance based on structural hardship for deficiency 3. Item 5 has been corrected. Regarding item 4, emergency lighting, if the Applicant finds that**

employees are working after dark, item 4 will be corrected within the sixty-day time frame. The motion was unanimous.

**APPEAL #060878:** Mr. Marco Schiappa, for the property located at 1511 Pontiac Avenue, Cranston. DSFM Cynthia Dehler appeared for the State Fire Marshal's office and testified that the facility is compliant. It was noted that the deficiency report for 1511 Pontiac Avenue also referenced another facility, located at 19 Foster Road, Building #84 in Cranston. If this facility needs relief, the Applicant shall file and this facility can be heard some time in the future.

**APPEAL #060880:** Mr. Marco Schiappa, for the property located at 2 Cherrydale Court, Cranston. DSFM Octavio Vieira appeared for the State Fire Marshal's office. The Applicant testified that they might abandon this facility and transfer the operations to the new juvenile center located in the Pastore Campus. Vice Chairman Newbrook made a motion, seconded by Commissioner Pearson, to allow the Applicant to return before the Board on January 13, 2008 with his plan of action for that facility. The motion was unanimous.

**APPEAL #060881:** Mr. Marco Schiappa, for the property located at 4 Cherrydale Court, Cranston. DSFM Christine Kent appeared for the State Fire Marshal's office. The Applicant testified that they might abandon this facility and transfer the operations to the new juvenile center located in the Pastore Campus. Vice Chairman Newbrook made a motion, seconded by Commissioner Pearson, to allow the

**Applicant to return before the Board on January 13, 2008 with his plan of action for that facility. The motion was unanimous.**

**APPEAL #060883: Mr. Marco Schiappa, for the property located at 9 Rossi Circle, Cranston. DSFM Octavio Vieira appeared for the State Fire Marshal's office. The Applicant testified that the operations in this building will also be transferred out, sometime in the next three (3) months. Therefore, Commissioners Walker and Dias made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of ninety (90) days to bring this building into compliance, during which time the building is to be vacated. All deficiencies are then to be corrected prior to re-occupancy. The motion was unanimous.**

**APPEAL #060884: Mr. Marco Schiappa, for the property located at 11 Power Street, Cranston. DSFM Dennis McGarty appeared for the State Fire Marshal's office. The Applicant testified that this building is vacant, but connected by a brick wall to another (occupied) building. Commissioner Pearson made a motion, seconded by Commissioner Jasparro, to grant the Applicant a time variance of thirty (30) days from the hearing date to seal and secure the vacant portion of this facility. The motion passed over the objection of Commissioner Walker.**

**APPEAL #060885: Mr. Marco Schiappa, for the property located at 10 Service Court, Cranston. DSFM James Moore appeared for the State**

**Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Dias, to allow the Applicant to return before the Board on January 27, 2009 with his plan of action for compliance. The motion was unanimous.**

**APPEAL #060886: Mr. Marco Schiappa, for the property located at 16 Wilma Schlesler Road, Cranston. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance of thirty (30) days to correct any items considered "maintenance issues". The Applicant is directed to return before the Board on January 27, 2009 with his plan of action for compliance for this facility. The motion was unanimous.**

**APPEAL #080042: Mr. Marco Schiappa, for the property located at 35 Howard Street, Cranston. DSFM Christopher Moore appeared for the State Fire Marshal's office and testified that this facility is in compliance.**

**APPEAL #080043: Mr. Marco Schiappa, for the property located at 2 Regan Court, Cranston. DSFM Christopher Moore appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Richard, to grant the following relief. Regarding items #1, 2, 3, 6, 7, 8, and 9 (the fire alarm system upgrade), the Applicant is granted a time variance of sixty (60) days to receive bids, award a contract, and gain approval of plans. The**

**Applicant is granted an additional time variance of 120 days in which to have the system installed and tested. The Applicant is directed to immediately correct items 11 and 13. The Applicant is granted a time variance of thirty (30) days in which to correct deficiencies 4, 5, 10, 12, 14, 15, 16, 17 and 18. The motion was unanimous.**

**APPEAL #060727: Mr. Marco Schiappa, Mr. David Beck and Ms. Virginia Faria, for the property located at 249 Blackstone Blvd. in Providence. DSFM Octavio Vieira appeared for the State Fire Marshal's office. Commissioner Preiss made a motion, seconded by Vice Chairman Newbrook, to grant the following relief. The Applicant is granted a variance, based on structural hardship, for item 1. Items 3 and 4 have been corrected. For items #2 and 5, the Applicant is granted a time variance of thirty (30) days to submit his plans and an additional 120 days for the correction of the deficiencies. Regarding item #2, the Applicant is directed to replace the cited sprinkler heads with the correct type of sprinkler heads. Regarding item #5, the Applicant is granted a variance in the areas of non-combustible ceilings. The Applicant is directed to correct the deficiencies found elsewhere. Item 6 has been corrected.**

**APPEAL #060741: Mr. Arthur Jochmann, for the property located at 50 Orms Street, Providence. DSFM Arthur DaCosta appeared for the State Fire Marshal's office. All items of the Marshal's report have been corrected with the exception of #3. Commissioner Pearson made a motion, seconded by Commissioner Walker, to approve the**

**Applicant's plan of action for the correction of item #3. The motion was unanimous.**

**APPEAL #060742: Mr. Thomas Wright, Mr. Marco Schiappa and Mr. Arthur Jochmann, for the property located at 2 Capitol Hill, Providence. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. All items have been corrected with the exception of deficiencies 2, 5, 6 and 9. Vice Chairman Newbrook made a motion, seconded by Commissioners Jasparro and Jackson, to grant the following relief. A variance is granted for item 5 on the basis of structural hardship. The Applicant is directed to perform an evaluation of the remaining three deficiencies and present their plan of action for correction of those deficiencies to the Board on January 27, 2009. The motion was unanimous.**

**APPEAL #060887: Mr. Marco Schiappa, for the property located at 3 Capitol Hill, Providence. Deputy State Fire Marshals Wade Palazini and Cynthia Dehler appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Dias and Walker, to grant the following relief. Item #2 is moot and not considered to be an issue as the occupancy is less than 50 people. Item #7 is moot. The Applicant is granted a variance on item 4 on the basis of structural hardship. The Applicant is directed to immediately correct item 14. Items 1, 3, 5, 6(a), 8, 9, 10, 11, 12 and 13 have been corrected. The Applicant is granted a time variance to correct deficiencies 6 (b)(c), 15, 16, 17, 18, 19 and 20 at the direction and to**

**the satisfaction of the State Fire Marshal's office, and grants that office the authority to extend the above time variance for good faith efforts shown by the Applicant. The motion was unanimous.**

**Respectfully submitted,**

**Carol Marsella**

**Deputy Director**